

Decision

Dispute Codes:

CNC

Introduction

This Application for Dispute Resolution was by the tenant seeking to cancel a One-Month Notice to End Tenancy for Cause dated July 31, 2010 for being repeatedly late paying rent, significantly interfering with or unreasonably disturbing another occupant, seriously jeopardizing health or safety or a lawful right or interest of the landlord or another occupant and engaging in illegal activity that adversely affected the quiet enjoyment, security, safety, or physical well-being of another occupant or the landlord and causing extraordinary damage to the unit or property.

This application was set to be heard by conference call. The notice of hearing sent to each party required them to join in the conference call at the time of the hearing by calling in to the number provided and entering the participant code identified. This conference call was set for 10:30 a.m. Only the respondent landlord called in. The line was held open until 10:45 but the applicant failed to appear and the tenant's application to cancel the One-Month Notice was therefore dismissed.

After the tenant's Application was dismissed, the landlord made a request for an order of possession effective October 31, 2010. Under the provisions of section 55(1)(a), upon the request of a landlord, I must issue an order of possession when the tenant's application to cancel the Notice to End Tenancy has been dismissed. Accordingly, I so order. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Based on the above, I hereby dismiss this application without leave to reapply

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October, 2010.

Dispute Resolution Officer